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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,901	08/06/2003	Cosmo Castaldo	0267-001-2021	7336
7590 04/09/2004			EXAMINER	
Greenberg Trauring, LLP 885 Third Avenue New York, NY 10022			FISHMAN, MARINA	
			ART UNIT	PAPER NUMBER
			2832	

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/634,901

Applicant(s)

CASTALDO, COSMO

Examiner

Marina Fishman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***General Status***

1. This is a First Action on the Merits. Claims 1 - 30 are pending in the case and are being examined.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 27, recite "the plug and receptacle are standard" it is not clear which standard is being referred to. The recitation of standard makes the claims vague and indefinite.

Claim 7 recites the limitation "the housing" in 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 –7 and 10 – 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Wulle [US 1,818,290].

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Regarding Claims 1,6,7,17,18,24 and 28, Wulle discloses a device [Figures 1 – 7] comprising:

- a switch [B], on the device for turning power to a receptacle on or off [Figure 1];
- a member [D] coupled to the device and having a first position [Figure 3, switch is OFF] which allows a plug [C5] to be inserted into receptacle [C] and a second position [Figure 4, switch is ON] which prevents the plug from being inserted into receptacle; and
- connecting means [D2;D6,D8,B9] coupled to the member and to the switch to enable the switch to connect the receptacle to a source of power when the member is in the second position;
- a mounting lug [A1, A2] disposed on housing of the device [Figure 1];
- a housing [A];

Regarding Claim 2, Wulle discloses the connecting means disables said switch from connecting the receptacle to a source of power when said member is in the first position.

Regarding Claim 3, Wulle discloses a locking means [D6] for locking the plug to the receptacle when the member is in the first position.

Regarding Claim 4, Wulle discloses the locking means [D6] for locking the plug to the receptacle when the member is in the second position.

Regarding Claim 5, Wulle discloses the connecting means turns said switch to the OFF position when the member is moved from the second position to the first position.

Regarding Claims 10 -12, Wulle discloses the connecting means comprises a first linkage [D2] and a second linkage [D6,D8,B9], the first linkage and the second linkage are connected to each other. The first linkage is connected to the member [D] and the second linkage is connected to the switch [Figures 3,4].

Regarding Claim 13, Wulle discloses a cam B9 (part of second linkage D6+D8) attached to the switch and for Claim 14, the second linkage is operable to move the cam thereby moving the switch.

Regarding Claim 15, the operation of a spring [D5] with linkage members [D2,D6,D8,B9] works as an indexer and the arrangement causes the member to remain in the first or the second positions.

Regarding Claim 16, Wulle discloses a cam [D8, Figure 7] with indentation and knob [A9, Figure 3]. Operation parts of rod [end of the rod D6] and spring [D5] maintain the position of rod in indentations of the cam [B9].

Regarding Claims 18 and 19, plug and receptacle are discussed above, in case when the plug is not fully inserted, the switch is locked in OFF position due to interference of nose [D3] with the body of the plug [aperture D4 of the plug body will not

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be aligned with the nose D3]. Further for claim 19, the switch is locked in OFF or On position due to operation of a spring [D5] and linkage members [D6, B9, D8].

Regarding claims 20-23, the method of coupling a plug to a receptacle comprising the steps providing a member having a first position for permitting the plug to be inserted into or being removed from the receptacle and a second position for blocking the plug from being inserted into or removed from the receptacle, placing the member into the first position; connecting the plug to the receptacle; moving the member into a the second position where the plug may not be removed from the receptacle and enabling the receptacle to be coupled to a source of power, a method of coupling the plug to a receptacle are disclosed in Figures 1-6.

Regarding Claims 24-27, the member is treated as handle and the other limitations are discussed above.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 9, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wulle [US 1,818,290] in view of Klimek [US 3,887,256].

Regarding Claims 8 and 29, Wulle discloses the instant claimed invention except for a gasket in the receptacle. Klimek et al. discloses a plug and socket arrangement, with socket having seal or gasket [88]. Therefore, it would have been obvious to one of

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ordinary skill in the art to provide gasket in the receptacle in Wulle, as taught by Klimek, so as to provide seal between the plug and socket.

Regarding Claims 9 and 30, the portion of the socket housing of Klimek acts as hold down clamp for the gasket.

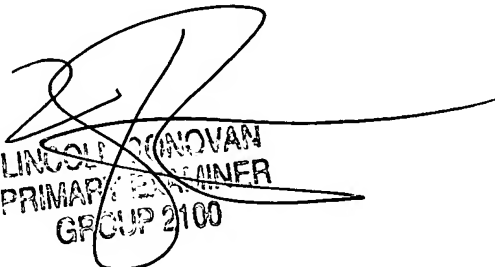
### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Fishman whose telephone number is 571-272-1991. The examiner can normally be reached on 7-5 M-T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marina Fishman  
March 31, 2004

  
LINCOLN DONOVAN  
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